

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MARKO BYVALETS,

Plaintiff,

-against-

NEW YORK CITY HOUSING AUTHORITY,

Defendant.
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AMON, United States District Judge:

Plaintiff Marko Byvalets, proceeding pro se, brings this employment discrimination action against his former employer, the New York City Housing Authority ("NYCHA"). (D.E. # 1.) NYCHA has moved for dismissal. (D.E. # 10.) The Court referred Defendant's motion to the Honorable Roanne L. Mann, Chief United States Magistrate Judge, who thereafter submitted a Report and Recommendation ("R&R") recommending that the Court grant Defendant's motion to dismiss and grant Plaintiff leave to amend his complaint to assert claims against his direct supervisor, Shaji Cherian, for disparate treatment and a hostile work environment on the basis of national origin and race. (D.E. # 18.)

No party has objected to the R&R, and the time for doing so has passed. When deciding whether to adopt a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, "a district court need only satisfy itself that there is no clear error on the face of the record." Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks and citation omitted).

FILED
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NOT FOR PUBLICATION

ORDER

16-CV-6785 (CBA) (RLM)

The Court has reviewed the record and, finding no clear error, adopts the well-reasoned R&R as the opinion of the Court. The Court construes Plaintiff's premature filing of an amended complaint, (D.E. # 19), as a motion for leave to file an amended complaint, which the Court now grants.

SO ORDERED.

Dated: February 21, 2018
Brooklyn, New York

s/Carol Bagley Amon

Carol Bagley Amon
United States District Judge